

REMARKS

Applicants gratefully acknowledge the Examiner's indication that claims 2, 4 and 6-12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Office Action mailed September 19, 2006 has been reviewed and carefully considered. The Examiner's reconsideration is respectfully requested in view of the above amendments and the following remarks. Claims 1-13 are pending in the present application. Claim 1 has been amended. No new matter has been introduced.

§102 REJECTIONS

Claims 1, 3, 5 and 13 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,293,585 to Bruns et al. (hereinafter Bruns). Applicant respectfully disagrees with the rejection.

Bruns teaches a torsional sensing load cell having a tuning fork type configuration, one of the barbs being fixed to a base while the other is engaged to the bottom of a chair and deflected upon a load being applied to the seat, an attached sensor detecting the load resulting from the deflection. Applicants have carefully reviewed the Examiner's comments but find the rationale for justifying lack of novelty over claim 1 unclear. According to paragraph (2) of the Office Action, the Examiner states that mounting holes 27, 29 of Bruns are the equivalent of the first and second clip portions of claim 1, that arms 25, 31 are the equivalent of a central part and two legs, and that end member 37 is equivalent to a bridge which interconnects bridge portions 27 & 29.

However, if the Examiner is asserting that the first and second clip portions are met by 27 and 29, the Applicants cannot see how it follows that the arms 25 and 31 comprise a pair of legs associated with *each* clip portion (note that if following this logic, while Bruns arguably has a total of (2) ‘clip portions’ and (2) ‘legs’, the present invention according to claim 1 includes (2) clip portions and (4) legs). Furthermore, it is not clear how the bridge 37 can be alleged to interconnect the clip portions 27, 29, when bridge 37 clearly does not even extend between elements 27 and 29. *See e.g.*, Bruns, FIGS. 3A and 3B.

Please note that Applicants have made minor amendments to claim 1 at this time to make more clear, that **each** of the first and second clip portions includes a central part, and further, that a bridge interconnects the first and second clip portions.

Even when read and viewed in its broadest sense without regard to specific numerals of alleged structural equivalents, Bruns fails to disclose or suggest at least “first and second clip portions, each clip portion having a central part and two legs depending from the central part, each leg having adjacent a free end thereof at least one of a groove or a projection...”, and “a bridge interconnecting the clip portions...”, essentially as claimed in claim 1. Namely, even if holes 27, 29 could each be considered clip portions, it is readily apparent that neither 27 nor 29 each include at least a central part and two legs depending from the central part.

Further, for sake of argument, even if arms 25, 31 of Bruns could be considered ‘clip portions’, it is clear that neither 25 nor 31 each includes at least a central part and two legs depending from the central part, essentially as presently claimed in claim 1.

Accordingly, claim 1 is asserted to be patentable and nonobvious in view of Bruns for at least the reasons stated above. Claims 2-13 depend from and include all the

limitations of claim 1. As such, the dependent claims are believed to be allowable for at least the reasons given above for claim 1. Accordingly, withdrawal of all the rejections under 35 U.S.C. §102(b) is respectfully requested.

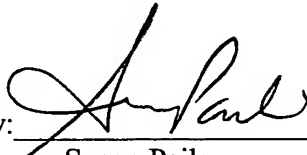
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 1-13 are patentable and nonobvious over the cited reference. Consequently, the Applicant respectfully requests reconsideration and withdrawal of the rejections and allowance of the application. Such early and favorable consideration by the Examiner is respectfully urged. Should the Examiner believe that a telephone interview may facilitate resolution of any remaining matters, it is requested that the Examiner contact Applicant's undersigned attorney.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to Applicant's representative's Deposit Account No. 50-1433.

Respectfully submitted,
KEUSEY, TUTUNJIAN & BITETTO, P.C.

Date: 12/19/06

By: 
Susan Paik
(Reg. No. 46,347)

Mailing Address:

KEUSEY, TUTUNJIAN & BITETTO, P.C.
20 Crossways Park North, Suite 210
Woodbury, New York 11797
Tel: (516) 496-3868
Fax: (516) 496-3869